
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, MAY 6, 2021.

[41]

JOURNAL OF THE HOUSE.

Thursday, May 6, 2021.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato), the members and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Resolutions.

Resolutions (filed with the Clerk by Ms. Hogan of Stow) honoring Patricia A. Walrath for a lifetime of service and commitment to the Massachusetts 4-H Foundation, her community, and the Commonwealth, were referred under Rule 85, to the committee on Rules.

Patricia
Walrath.

Mr. Galvin of Canton, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Ms. Barber of Somerville, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Appointments of the Speaker.

The Speaker announced that he had made the following appointments:

That Representative Garlick of Needham had been appointed as his designee (under Section 1 of Chapter 309 of the Acts of 2020) to the Opioid Recovery and Remediation Fund Advisory Council;

Opioid
recovery.

That Representative Cutler of Pembroke had been appointed as his designee (under Section 92 of Chapter 358 of the Acts of 2020) to chair the commission to conduct a comprehensive study relative to the impact of automation, artificial intelligence, global trade, access to new forms of data and the internet of things on the workforce, businesses and economy;

Automation.

That Representative LaNatra of Kingston had been appointed as his designee (under Section 92 of Chapter 358 of the Acts of 2020) to the commission to conduct a comprehensive study relative to the impact of automation, artificial intelligence, global trade, access to new forms of data and the internet of things on the workforce, businesses and economy; and

Id.

That Representative Hogan of Stow had been appointed as his designee (under Section 94 of Chapter 358 of the Acts of 2020) to co-chair the commission on the needs of agriculture in the Commonwealth in the 21st century.

Agriculture
needs.

Petition.

Ms. Cronin of Easton presented a petition (accompanied by bill, House, No. 3709) of Claire D. Cronin (with the approval of the mayor and city council) relative

Brockton,—
city council.

to city council vacancies in the city of Brockton; and the same was referred to the committee on Election Laws. Sent to the Senate for concurrence.

Additional Petitions.

The following additional petitions (having been deposited in the office of the Clerk of the House, previously to five o'clock in the afternoon on Friday, February 19, 2021) were referred, under Rule 24 and Joint Rule 13, as follows:

By Mr. Owens of Watertown, a petition (accompanied by bill, House, No. 3710) of Steven C. Owens and others for legislation to facilitate the unionization of the cannabis workforce. To the committee on Cannabis Policy.

Cannabis,—
unions.

By Representative Chan of Quincy and Senator Moore, a joint petition (accompanied by bill, House, No. 3711) of Tackey Chan and Michael O. Moore for legislation to establish a special commission (including members of the General Court) to investigate the potential for beneficial economic impact from minimum pricing laws;

Minimum
pricing.

By Representative Gouveia of Acton and Senator Barrett, a joint petition (accompanied by bill, House, No. 3712) of Tami L. Gouveia and Michael J. Barrett (by vote of the town) for legislation to grant four additional liquor licenses for the sale of wines and malt beverages to be drunk on the premises in the town of Concord;

Concord,—
liquor
licenses.

By Mr. Hill of Ipswich (by request), a petition (accompanied by bill, House, No. 3713) of Nicholas Ford relative to credit card surcharges;

Credit cards,—
surcharges.

By Representative Linsky of Natick and Senator Rausch, a joint petition (accompanied by bill, House, No. 3714) of David Paul Linsky and Rebecca L. Rausch (by vote of the town) relative to authorizing the town of Natick to grant an additional license for the sale of alcoholic beverages to be drunk on the premises; and

Natick,—
liquor
licenses.

By Mr. Sena of Acton, a petition (accompanied by bill, House, No. 3715) of Danillo A. Sena, Michael P. Kushmerek and John J. Cronin (by vote of the town) relative to authorizing the town of Lunenburg to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises to Jaxx Country Variety;

Lunenburg,—
liquor license.

Severally to the committee on Consumer Protection and Professional Licensure.

By Representatives Hawkins of Attleboro and Gouveia of Acton, a petition (accompanied by bill, House, No. 3716) of James K. Hawkins, Tami L. Gouveia and others to ensure the health and safety of students, educators and communities during the 2019 novel coronavirus pandemic;

Pandemic,—
education.

By Mr. Santiago of Boston, a petition (accompanied by bill, House, No. 3738) of Jon Santiago and others relative to the rapid, accessible and equitable administration of the COVID-19 vaccine; and

Covid
vaccine,—
administration.

By Mr. Vitolo of Brookline, a petition (accompanied by bill, House, No. 3717) of Tommy Vitolo and others relative to the powers of city and town officials during public health emergencies;

Municipalities,—
emergencies.

Severally to the committee on Covid-19 and Emergency Preparedness and Management.

By Representatives Fernandes of Falmouth and Tyler of Boston, a petition (accompanied by bill, House, No. 3718) of Dylan A. Fernandes, Chynah Tyler and others for legislation to establish a permanent commission on anti-racist education to develop anti-racist curriculum for the public schools. To the committee on Education.

Education,—
anti-racist
curriculum.

By Representative Gouveia of Acton and Senator Barrett, a joint petition (accompanied by bill, House, No. 3719) of Tami L. Gouveia and Michael J. Barrett

Concord,—
voting.

(by vote of the town) for legislation to authorize 17 year old citizens to vote in town elections and town meetings in the town of Concord. To the committee on Election Laws.

By Mr. Michlewitz of Boston, a petition (accompanied by bill, House, No. 3720) of Aaron Michlewitz for legislation to further regulate the authority of the Department of Public Works and the Boston Redevelopment Authority to exercise certain powers in regard to certain tidelands along the Atlantic Avenue and Commercial Street waterfront in the city of Boston. To the committee on Environment, Natural Resources and Agriculture.

Boston,—
waterfront.

By Ms. DuBois of Brockton, a petition (accompanied by bill, House, No. 3721) of Michelle M. DuBois relative to the stabilization of rents in cities and towns facing distress in the housing market;

Rents,—
stabilization.

By Miss Garry of Dracut, a petition (accompanied by bill, House, No. 3722) of Colleen M. Garry (by vote of the town) relative to the design, development, construction and operation of a certain senior low-income and affordable housing project located in the town of Dracut;

Dracut,—
housing.

Severally to the committee on Housing.

By Mr. Mirra of Georgetown (by request), a petition (accompanied by resolutions, House, No. 3723) of Walter F. Sorenson, Jr., for the adoption of Resolutions by the General Court requesting the Governor to remove Judge Abbie L. Ross from the Essex County Family and Probate Court. To the committee on the Judiciary.

Judge
Abbie
Ross.

By Representative Arciero of Westford and Senator Kennedy, a joint petition (accompanied by bill, House, No. 3724) of James Arciero and Edward J. Kennedy (by vote of the town) relative to authorizing the disbursement of certain funds held in escrow by the town of Westford;

Westford,—
funds.

By Miss Garry of Dracut, a petition (accompanied by bill, House, No. 3725) of Colleen M. Garry and Edward J. Kennedy (by vote of the town) relative to providing for the appointment of two alternate members of the conservation commission of the town of Tyngsborough;

Tyngsborough,—
conservation
commission.

By the same member, a petition (accompanied by bill, House, No. 3726) of Colleen M. Garry (by vote of the town) relative to authorizing the town of Dracut to pay a certain bill to White Water, Inc.; and

Dracut,—
bill.

By Mr. Sena of Acton, a petition (accompanied by bill, House, No. 3727) of Danillo A. Sena, Michael P. Kushmerek and John J. Cronin (by vote of the town) relative to authorizing the investment of town of Lunenburg library trust fund;

Lunenburg,—
library.

Severally to the committee on Municipalities and Regional Government.

By Mr. Hendricks of New Bedford, a petition (accompanied by bill, House, No. 3728) of Christopher Hendricks and others relative to electronic weapons and devices; and

Electronic
weapons.

By Mr. Linsky of Natick, a petition (accompanied by bill, House, No. 3729) of David Paul Linsky and others relative to universal background checks for private gun sales;

Private
gun sales.

Severally to the committee on Public Safety and Homeland Security.

By Mr. Consalvo of Boston, a petition (accompanied by bill, House, No. 3730) of Rob Consalvo and Patrick Russell relative to the Group Insurance Commission Trust Fund. To the committee on Public Service.

Group Insurance
Commission.

By Representative Gouveia of Acton and Senator Barrett, a joint petition (accompanied by bill, House, No. 3731) of Tami L. Gouveia and Michael J. Barrett (by vote of the town) for legislation to make permanent a senior means tested property tax exemption in the town of Concord;

Concord,—
senior property
taxes.

<p>By Mrs. Lipper-Garabedian of Melrose, a petition (accompanied by bill, House, No. 3732) of Kate Lipper-Garabedian and others relative to authorizing the establishment of a means tested senior citizen property tax exemption;</p>	<p>Senior property taxes.</p>
<p>By Mr. McMurtry of Dedham, a petition (accompanied by bill, House, No. 3733) of Paul McMurtry and others relative to motion pictures filmed in the Commonwealth; and</p>	<p>Motion pictures.</p>
<p>By Representative Sena of Acton and Senator Eldridge, a joint petition (accompanied by bill, House, No. 3734) of Danillo A. Sena and James B. Eldridge (by vote of the town) relative to authorizing the town of Harvard to establish a cap on property taxes for means tested senior citizens;</p>	<p>Harvard,— senior property taxes.</p>
<p>Severally to the committee on Revenue.</p> <p>By Ms. Elugardo of Boston, a petition (accompanied by bill, House, No. 3735) of Nika C. Elugardo and others for the annual issuance of a proclamation by the Governor setting apart the month of September as polycystic ovary syndrome awareness month. To the committee on State Administration and Regulatory Oversight.</p>	<p>Polycystic ovary syndrome awareness month.</p>
<p>By Mr. McGonagle of Everett, a petition (accompanied by bill, House, No. 3736) of Joseph W. McGonagle, Jr., and Jessica Ann Giannino relative to mopeds and scooters operating on public ways; and</p>	<p>Mopeds and scooters.</p>
<p>By Mr. Tucker of Salem, a petition (accompanied by bill, House, No. 3737) of Paul F. Tucker relative to blood testing for certain drivers;</p> <p>Severally to the committee on Transportation.</p>	<p>Drivers,— blood testing.</p>

Paper from the Senate.

<p>The House Bill financing the reconstruction of the Soldiers' Home in Holyoke (House, No. 3701), came from the Senate passed to be engrossed, in concurrence, with amendments striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2442.</p>	<p>Holyoke Soldiers' Home.</p>
<p>Under suspension of Rule 35, on motion of Mr. Wagner of Chicopee, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Wagner of Chicopee, Gregoire of Marlborough and Berthiaume of Spencer were appointed the committee on the part of the House. Sent to the Senate to be joined.</p>	<p>Conference committee.</p>
<p>Subsequently notice was received from the Senate that said branch had insisted on its amendment, concurred with the House in the appointment of a committee of conference; and that Senators Friedman, Feeney and Fattman had been appointed the committee on the part of the Senate.</p>	<p>Id.</p>

*Reports of Committees on Proposals for
Legislative Amendments to the Constitution.*

<p>By Mr. Ryan of Boston, for the committee on Election Laws, on the petition (accompanied by proposal, House, No. 76) of Michael J. Moran and Kevin G. Honan for a legislative amendment to the Constitution to provide for no excuse absentee voting,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 76), ought to pass [Representative Dooley of Norfolk dissenting].</p>	<p>Absentee voting.</p>
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By Mr. Day of Stoneham, for the committee on the Judiciary, on the petition (accompanied by proposal, House, No. 80) of Mindy Domb and others for a legislative amendment to the Constitution relative to the oaths and affirmations of public office,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 80), ought to pass.

Public office,—
oaths.

By Ms. Ehrlich of Marblehead, for the committee on the Municipalities and Regional Government, on the petition (accompanied by proposal, Senate, No. 2440) of William N. Brownsberger for a legislative amendment to the Constitution relative to select boards,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 2440), ought to pass.

Select boards.

By Mr. Cusack of Braintree, for the committee on Revenue, on the petition (accompanied by proposal, House, No. 86) of James J. O’Day and Sean Garballey for a legislative amendment to the Constitution to provide resources for education and transportation through an additional tax on incomes in excess of one million dollars tax on incomes in excess of one million dollars,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 86), ought to pass.

Millionaires
tax.

By the same member, for the same committee, on the petition (accompanied by proposal, House, No. 91) of Paul A. Schmid, III and others for a legislative amendment to the Constitution relative to agricultural and horticultural lands,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 91), ought to pass.

Agricultural and
horticultural
lands.

The reports were severally read and placed on file, in accordance with the requirements of said rule.

By Mr. Ryan of Boston, for the committee on Election Laws, on the petition (accompanied by proposal, Senate, No. 16) of James B. Eldridge for a legislative amendment to the Constitution to establish an independent redistricting commission,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 16), ought NOT to pass [Senators Eldridge and Fattman dissenting].

Redistricting,—
commission.

By the same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 17) of Walter Ziobro for a legislative amendment to the Constitution specifying the method of apportioning the General Court,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 17), ought NOT to pass.

General Court,—
apportionment.

By the same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 18) of Adam G. Hinds for a legislative amendment to the Constitution relative to voting rights,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 18), ought NOT to pass [Senator Creem dissenting].

Voting rights.

By the same member, for the same committee, on the petition (accompanied by proposal, House, No. 74) of Mindy Domb, Tami L. Gouveia and David M. Rogers for a legislative amendment to the Constitution relative to voting rights,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 74), ought NOT to pass [Senator Creem dissenting].

Id.

By the same member, for the same committee, on the petition (accompanied by proposal, House, No. 75) of Paul W. Mark for a legislative amendment to the

Absentee
voting,—

<p>Constitution relative to no fault absentee voting,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 75), ought NOT to pass.</p>	<p>no fault.</p>
<p>By Mr. Day of Stoneham, for the committee on the Judiciary, on the petition (accompanied by proposal, Senate, No. 19) of Vincent Lawrence Dixon for a legislative amendment to the Constitution for term renewal process,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 19), ought NOT to pass.</p>	<p>Term renewal process.</p>
<p>By the same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 20) of Cynthia Stone Creem for a legislative amendment to the Constitution relative to the subject matter of initiative petitions,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 20), ought NOT to pass [Senator Creem dissenting].</p>	<p>Initiative petitions.</p>
<p>By the same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 21) of Adam G. Hinds for a legislative amendment to the Constitution relative to equity in state policy,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 21), ought NOT to pass [Representative Fluker Oakley of Boston dissenting].</p>	<p>State policies,— equity.</p>
<p>By the same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 25) of Sabrina Holland for a legislative amendment to the Constitution to amend articles of the Constitution to expand equal rights,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 25), ought NOT to pass [Representative Fluker Oakley of Boston dissenting].</p>	<p>Equal rights.</p>
<p>By the same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 1070) of Norma Powell for a legislative amendment to the Constitution relative to the term of judicial officers,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 1070), ought NOT to pass.</p>	<p>Judicial officers,— terms.</p>
<p>By the same member, for the same committee, on the petition (accompanied by proposal, House, No. 79) of Mindy Domb and others for a legislative amendment to the Constitution relative to use of gender in the Constitution of the Commonwealth,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 79), ought NOT to pass [Senator Creem and Representatives Whipps of Athol, Fluker Oakley of Boston and Scanlon of North Attleborough dissenting].</p>	<p>Constitution,— gender.</p>
<p>By the same member, for the same committee, on the petition (accompanied by proposal, House, No. 81) of Thomas A. Golden, Jr. and James K. Hawkins for a legislative amendment to the Constitution relative to term limits for judges,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 81), ought NOT to pass [Representative Scanlon of North Attleborough dissenting].</p>	<p>Judges,— term limits.</p>
<p>By the same member, for the same committee, on the petition (accompanied by proposal, House, No. 82) of Bradley H. Jones, Jr. and Susan Williams Gifford for a legislative amendment to the Constitution relative to prohibiting eminent domain takings,— in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 82), ought NOT to pass.</p>	<p>Eminent domain,— prohibition.</p>
<p>By the same member, for the same committee, on the petition (accompanied by proposal, House, No. 83) of Sabrina Holland for a legislative amendment to the</p>	<p>Laws,— equal</p>

Constitution relative to equal protection of the laws,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 83), ought NOT to pass [Representative Fluker Oakley of Boston dissenting].

protection.

By the same member, for the same committee, on the petition (accompanied by proposal, House, No. 84) of Paul W. Mark for a legislative amendment to the Constitution relative to a succession plan for a vacancy in the office of Lieutenant-Governor,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 84), ought NOT to pass [Representatives Whipps of Athol and Scanlon of North Attleborough dissenting].

Lt. Governor,—
succession plan.

By Mr. Cutler of Pembroke, for the committee on Labor and Workforce Development, on the petition (accompanied by proposal, House, No. 85) of Vincent Lawrence Dixon for a proposal for a legislative amendment to the Constitution for a constitutional right to employable skills training,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 85), ought NOT to pass.

Employable
skills training.

By Mr. Cusack of Braintree, for the committee on Revenue, on the petition (accompanied by proposal, Senate, No. 22) of Bruce E. Tarr for a legislative amendment to the Constitution to require a supermajority vote for the utilization of rainy day funds,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 22), ought NOT to pass.

Rainy day
funds.

By the same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 23) of Bruce E. Tarr for a legislative amendment to the Constitution to cap the state income tax,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 23), ought NOT to pass.

Income tax,—
cap.

The reports were severally read and placed on file, in accordance with the requirements of said rule.

Under the provisions of Joint Rule 23, the following proposals were placed on file, the time within which the said committees were required to report having expired:

Of the committee on the Health Care Financing, ought NOT to pass (under Joint Rule 23), on the petition (accompanied by proposal, House, No. 77) of Vincent Lawrence Dixon for a proposal for a legislative amendment to the Constitution to establish the right to health care; and

Health care.

Of the committee on the Housing, ought NOT to pass (under Joint Rule 23), on the petition (accompanied by proposal, House, No. 78) of Vincent Lawrence Dixon for a proposal for a legislative amendment to the Constitution for a Constitutional right to housing.

Housing.

Report of a Committee.

By Mr. Honan of Boston, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the town of Berlin to continue the employment of Paul Kenneth Clark (printed in House, No. 92), be scheduled for consideration of the House.

Berlin,—
Kenneth
Clark.

Under suspension of Rule 7A, on motion of Ms. Barber of Somerville, the bill was read a second time forthwith; and it was ordered to a third reading.

Orders of the Day.

The House Bill authorizing Trevor J. Seaboyer to take the civil service examination for the position of firefighter in the city of Haverhill notwithstanding the maximum age requirement (House, No. 98), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Third
reading
bill.

Order.

On motion of Mr. Mariano of Quincy,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

Next
sitting.

At five minutes after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.